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## By Hand & E-Filed

Hon. Robert D. Drain, U.S.B.J. United States Bankruptcy Court One Bowling Green, Courtroom 610 New York, New York 10004

Re:

Delphi Corporation

Case No. 05-44481(RDD)

Dear Judge Drain:

In accordance with your Honor's July 19, 2006 ruling in favor of Mary P. O'Neill and Liam P. O'Neill, lifting the automatic stay, we submit herewith a revised proposed order. The Debtor has had an opportunity to review it and has approved the proposed order in its current form. A copy of the relevant portions of the July 19, 2006 transcript is also enclosed herewith.

Thank you for your attention to this matter.

Respectfully yours,

Richard G. Menaker

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RM-4716

**Enclosures** 

Cc: Douglas B. Bartner, Esq. (by telefax) (w/o enclosures)
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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:

DELPHI CORPORATION, et al.,

Debtors.

Chapter 11

Case No. 05-44481 (RDD)

(Jointly Administered)

## ORDER GRANTING MOTION OF MARY P. O'NEILL AND LIAM P. O'NEILL FOR RELIEF FROM AUTOMATIC STAY

Mary P. O'Neill and Liam P. O'Neill having moved for relief from the Automatic Stay to the limited extent of permitting them to continue prosecution of the civil action entitled *Mary P. O'Neill and Liam P. O'Neill v. General Motors Corp. et al.*, Circuit Court of Cook County, Illinois, No. 03 L 7792 (the "Motion"), and due notice of the Motion having been given to the Debtor and all other parties entitled to notice, and the Court having considered all objections to the Motion, and the Court having concluded that it has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334, and this being a core proceeding pursuant to 28 U.S.C. § 157, and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief requested therein:

NOW, THEREFORE, it is hereby,

ORDERED, that the Motion of Mary P. O'Neill and Liam P. O'Neill for relief from the automatic stay to the limited extent of permitting them to continue and complete the prosecution of the civil action entitled *Mary P. O'Neill and Liam P. O'Neill v. General Motors Corp. et al.*, Circuit Court of Cook County, Illinois, No. 03 L 7792, be and the same hereby is granted; and it is further

05-44481-rdd Doc 6160 Filed 12/13/06 Entered 12/13/06 14:48:03 Main Document Pg 3 of 3

**ORDERED**, that the automatic stay be and the same hereby is lifted to permit the conclusion of said civil action on the condition that recovery on the claim be limited to insurance proceeds.

**ORDERED**, that except as otherwise provided in this order, the automatic stay shall remain in full force and effect for any other purpose.

**ORDERED**, this Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this order.

Dated: New York, New York December \_\_\_\_\_, 2006.

Hon. Robert D. Drain United States Bankruptcy Judge